

Docket No.: 60988/P002US/10103486 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jason N. Farmer

Application No.: 09/945,370 Confirmation No.: 2123

Filed: August 31, 2001 Art Unit: 2828

For: DYNAMICALLY SPECTRALLY TAILORED Examiner: A. Rodriguez

RAMAN PUMP LASER

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR 1.705(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

0

Dear Sir:

Applicant hereby requests that the Commissioner correct the patent term adjustment as it is currently calculated for Patent Application 09/945,370 filed on August 31, 2001. This application is being filed with the Issue Fee. Applicant believes that the discrepancy is due to Office error and that a petition fee is not warranted. However, authorization to charge the amount of \$200.00 covering the fee set forth in 37 C.F.R. §1.18(e) is enclosed herewith and Applicant submits the following statement of the facts involved.

STATEMENT

The correct patent term adjustment should afford the Applicant 302 days. The basis for this adjustment is as follows:

08/31/2001 09/945,370 filed with USPTO

10/09/2001 USPTO mailed Notice to File Missing Parts

01/17/2002 Fees and declaration satisfying the filing requirements

received by USPTO (-38 days PTA)

10/06/2003 1st Office Action mailed by USPTO (+340 days PTA)

01/19/2005 คนับโป๊ศัรร์³0b000002 062380 09945370

01 FC:1455 200.00 DA

USPTO PAIR indicates that the date that the application was complete is 03/08/2002. However, the application was complete on 01/17/2002 when the fees and declaration were received. Applicant respectfully submits that the 340 day patent term adjustment based on the date of the first office action should be reduced by 38 days; whereby, the correct patent term adjustment should be 302 days. However, the Patent Term Adjustment on PAIR is 282, a difference of 20 days. Please correct the Patent Term Adjustment, which will be printed on the face of the patent, to 302 days.

The patent is not subject to a terminal disclaimer.

There were no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of such application as set forth in 37 C.F.R. § 1.704.

The Commissioner is hereby authorized to charge the \$200.00 fee set forth in 37 C.F.R. §1.18(e) and any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) or to credit any refunds, to our Deposit Account No. 06-2380, under Order No. 60988/P002US/10103486.

Dated: January 13, 2005

Respectfully submitted,

Christopher S.L. Crawford

Registration No.: 51,586

FULBRIGHT & JAWORSKI L.L.P.

Docket No.: 60988/P002US/10103486

2200 Ross Avenue, Suite 2800

Dallas, Texas 75201-2784

(214) 855-88378

(214) 855-8200 (Fax)

Attorney for Applicant

25473593.1